

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Terence Terrell Bryan,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No. 5:11-cv-2500-TLW-KDW
)	
SCDC, Warden Robert Stevenson, III,)	
and/or Responsible Officials,)	
)	
Respondents.)	
_____)	

ORDER

On September 19, 2011, the petitioner, Terence Terrell Bryan (“petitioner”), proceeding pro se, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. # 1). The case was referred to United States Magistrate Judge Kaymani D. West pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 39). On June 15, 2012, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that the District Court grant the respondent’s motion for summary judgment (Doc. # 24), deny the petitioner’s motion to strike (Doc. # 31), and dismiss this habeas petition with prejudice. (Doc. # 39). The petitioner filed no objections to the Report. After being granted an extension (Doc. # 42), the petitioner’s objections were due on August 1, 2012.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. # 39). For the reasons articulated by the Magistrate Judge, the respondent's motion for summary judgment (Doc. # 24) is **GRANTED**, and the petitioner's motion to strike (Doc. # 31) is **DENIED**. Additionally, the motion to compel/motion to strike filed by the petitioner after the Report was issued (Doc. # 47) is **DENIED**, as the petitioner has not presented a sufficient legal basis for such relief. This habeas petition is hereby **DISMISSED** with prejudice.

The Court has reviewed this petition in accordance with Rule 11 of the Rules Governing Section 2254 Proceedings. The Court concludes that it is not appropriate to issue a certificate of appealability as to the issues raised herein. The petitioner is advised that he may seek a certificate from the Fourth Circuit Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

September 4, 2012
Florence, South Carolina